

**MINUTES  
COLUMBUS PLAN COMMISSION MEETING  
MARCH 5, 2008 AT 4:00 P.M.  
CITY COUNCIL CHAMBERS, CITY HALL  
123 WASHINGTON STREET  
COLUMBUS, INDIANA**

**Members Present:** Dave Fisher (President), John Hatter, Brian Haza, Roger Lang, Steve Ruble, Ann DeVore, Dennis Crider, Rachel Quisenberry, Dave Bonnell and Tom Finke (County Liaison).

**Members Absent:** Tom King and Tom Wetherald.

**Staff Present:** Jeff Bergman, Heather Pope, Sondra Bohn, Emilie Pannell, Rae-Leigh Stark, Laura Thayer and Alan Whitted (Deputy City Attorney).

**CONSENT AGENDA**

Minutes of the December 19, 2007 special meeting.

Motion: Mr. Ruble made a motion to approve the minutes. Mr. Bonnell seconded the motion and it carried unanimously by voice vote.

Minutes of the February 6, 2008 meeting.

Motion: Ms. DeVore made a motion to approve the minutes. Mr. Crider seconded the motion and it carried unanimously by voice vote.

**SU-08-04: Faith Ministries** – a request by Faith Ministries for a major modification to the special use site plan to allow construction of a new church building. The property is located at 5103 State Road 46 West in Columbus Township.

Mr. Fisher read a letter requesting a continuance of the above petition to the next regularly scheduled meeting of the Plan Commission on April 2, 2008.

Motion: Ms. Quisenberry made a motion to continue this request to the April 2, 2008 meeting. Mr. Hatter seconded the motion and it carried with a vote of 9-0.

**ANX-08-02: Skaggs Builders** – a request by Skaggs Builders to annex to the City of Columbus a property of 3.16 acres located at 5860 U.S. Highway 31 in German Township.

Mr. Fisher stated that Mr. Skaggs had submitted a letter requesting a continuance to the April 2, 2008 meeting.

Motion: Mr. Bonnell made a motion to approve the continuance to the April 2, 2008 meeting. Mr. Lang seconded the motion and it carried with a vote of 9-0.

## OLD BUSINESS REQUIRING COMMISSION ACTION

**RZ-07-15: James R. Gordon-** a request by James R. Gordon to rezone 12 lots and 1 block totaling 20.48 acres from B-4 (Highway Business) to I-2 (Medium Industrial). The property is located at the intersection of Omega Drive and Indianapolis Road in the City of Columbus.

Mr. Fisher stated that this request had been heard previously and it is being sent back to the Plan Commission by the City Council for approval of a condition to be attached to the rezoning.

Mr. Bergman stated the Plan Commission had sent this request to the City Council with a favorable recommendation. He stated the Council considered this item and attached a condition that Lots 3 & 4 in the Drive-in Commercial Park Final Plat shall be limited to those uses permitted by the I-1 zoning district instead of the I-2 zoning district of the Columbus Zoning Ordinance. He stated that the intent of the Council was to prevent a more intense industrial use from being located in close proximity to some of the adjoining residences at that location. This is referred back to the Plan Commission for consent and if the Plan Commission agrees with this condition attached by the City Council and votes for approval that completes the rezoning process.

Mr. Crider stated that he did have a relationship with the petitioner and it was his opinion it was not a conflict of interest.

Mr. Mark Isaacs with Independent Land Surveying represented the petitioner.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Motion: Ms. DeVore made a motion to approve the attachment of a condition to the rezoning that the use of the area currently included in lots numbered 3 and 4 in the Drive-in Commercial Park Final Plat shall be limited to those uses permitted by the I-1 zoning district of the Columbus Zoning Ordinance. Mr. Bonnell seconded the motion and it carried with a vote of 9-0.

**RZ-07-11: Scott M. Ellegood / Werner-Hutchins** – a request by Scott M. Ellegood to rezone 6.45 acres from B-1 (Neighborhood Business), B-2 (Community Business) and I-3 (Heavy Industrial) to R-7 (Multi Family Residential). The properties are located on the south side of 10<sup>th</sup> Street from Werner Street to the alley east of Hutchins Avenue, and on the northwest corner of 10<sup>th</sup> Street and Cottage Avenue, in the City of Columbus.

Ms. Pope presented the staff information on this request.

Mr. E.R. Gray with E.R. Gray & Associates and Matt Ellegood represented the petitioner.

Mr. Gray stated they were in the process of removing all the buildings from the site, which will benefit the entire neighborhood and the City of Columbus. He stated that in order to develop the site some of the surrounding lots would need to be rezoned. Mr. Gray stated they are in agreement with the recommendation of staff for the items that are listed. Mr. Gray stated that the area on the east end of the Golden Foundry site is being proposed as a senior housing

addition.

Mr. Gray stated they agreed that a Type A buffer should be installed and maintained on the west property line of any development. He stated that a transitional setback of 75 feet should be provided on the west side of the 4.51-acre portion of the former foundry site, as long as non-residential zoning is present to the west. Mr. Gray stated that lots 76 and 77 would be requested to be zoned R-6 rather than R-7.

Mr. Gray stated they would ask for a favorable recommendation.

Mr. Haza asked for the timeline for the final clean up for the foundry site and how this would relate to the timing of the development of this property.

Mr. Ellegood stated it would be cleaned up by May 1, 2008. He stated he was not the developer of this site.

Mr. Fisher asked if this site plan would appear before the Plan Commission again. Mr. Bergman stated there would not be the need to appear before this the Commission for site plan approval.

Ms. DeVore stated that there was an agreement with the City and the County's Solid Waste District Management Board that the property was to be cleared, graded and seeded by May 1, 2008. Mr. Ellegood agreed with this.

Ms. Quisenberry asked about the interest of the 9<sup>th</sup> Street Park and the overcrowding of the park when these units were developed. She asked if they had any plan to develop a park or improve the one that already exists.

Mr. Ellegood stated with the senior housing that there would be less children playing at the park. Ms. Quisenberry asked if the developer was known at this time. Mr. Ellegood stated yes.

Mr. Fisher asked Mr. Ellegood if he would be developing the corner at Maple and 10<sup>th</sup>, the whole half block between Hutchins and Maple. Mr. Ellegood stated there would be a possibility, but at this time, he is just requesting the rezoning.

Ms. DeVore asked if the 187 dwelling unit development was for only the senior housing. Ms. Pope stated it was for all the property requested for rezoning. Ms. Pope stated the senior housing development is on the property north of 10<sup>th</sup> Street.

Mr. Ellegood stated there was a possibility they would rezone the I-3 to multi-family and if that happens, they would build their own park, playground and pool.

Mr. Lang asked if senior housing would be constructed at this site. Mr. Ellegood introduced Mr. Stan Palma a developer with Forsite Properties LLC who is planning to develop the site.

Mr. Palma stated that he represented Forsite Properties, Indianapolis, Indiana. He stated the company specializes in building affordable senior-restricted apartment developments financed with State Housing Tax Credits. Mr. Palma stated that the nearest development that they have is located in Greenwood, Indiana and is called The Main Street Commons. He stated it was a 70 unit senior development and was three stories high. Mr. Palma stated the development that is proposed for this site would look much like the one in Greenwood. Mr. Palma stated they would

be developing this 4.5-acre tract if the rezoning were approved. He stated they would be investing six million dollars into this project for senior housing.

Mr. Lang asked why the entire site at Golden Foundry was not being rezoned at the same time. Mr. Gray stated that his client owns the entire parcel and until such time he decides what zoning he will request, it will remain I-3. He stated the developer that is interested in rezoning for multi-family has a deadline they must meet to move the project forward.

Mr. Gray stated that this will be a big improvement to the area and would ask for a favorable recommendation.

Mr. Fisher opened the meeting to the public.

Mr. Andrew Forsythe expressed concern about the environmental remediation at the Golden Foundry site. He asked if the study had been completed. Mr. Fisher stated that staff had indicated that the petitioner had made available to the Planning Department an environmental assessment indicating that the appropriate testing had been done and further remediation was not required at this point.

Mr. Fisher closed the meeting to the public.

Ms. DeVore stated that it was very important that the site for Golden Foundry be cleared, graded and seeded by May 1, 2008. Mr. Ellegood stated they had a signed contract with Forsite Properties that if it were not cleared by May 1, 2008 they would have the right to clean the entire area and forward the costs to him.

Mr. Fisher read into the record a letter from Marsha L. Mayes, CEO and Manager of the Business and Industrial Credit Union. She expressed concern about the clean up at the site not being completed. She stated this was an eyesore for the neighborhood

Mr. Bergman stated that the staff is disappointed that we are not looking at a more comprehensive solution for this property. He stated there is some question that this request meets the full potential of what the site holds for the City; however, it is accurate to say this advances the goals of the Comprehensive Plan. Mr. Bergman stated that staff would recommend sending a favorable recommendation to the City Council with the conditions that are listed in the staff report.

Motion: Mr. Bonnell made a motion to send a favorable recommendation to the City Council and the following conditions were included as part of the Plan Commission recommendation: (1) A type A buffer as defined by the Zoning Ordinance shall be installed and maintained on the west property line of any development of the 4.51 acre portion of the former foundry site as long as non-residential zoning is present to the west, (2) A transitional setback of 75 feet shall be provided on the west side of the 4.51 acre portion of the former foundry site, as long as non-residential zoning is present to the west, and (3) The application to request R-6 (Multi-family Residential rather than R-7 (Multi-family Residential) zoning for the 2 lots east of Hutchins Avenue.

**RZ-07-14: Louis Brown** – a request by Louis Brown to rezone a property of 4.72 acres from I-2 (Medium Industrial) and R-2 (Single Family Residential) to B-4 (Highway Commercial). The property is located at the west side of Indianapolis Road approximately 1100 feet north of Lowell

Road in the City of Columbus.

Ms. Laura Thayer presented the staff information on this request.

Mr. Mark Isaacs with Independent Land Surveying and Louis Brown represented the petitioner.

Mr. Brown stated that he would like to sell modular homes from this location and would ask for a favorable recommendation on this request.

Mr. Fisher opened the meeting to the public.

Mr. Albert Lazzell asked for a continuance and stated he was speaking on behalf of the seven neighbors who had opposed this rezoning at the February 2008 meeting.

Mr. (inaudible) stated that at the past meeting there were seven members in oppositions to this request. He stated some of them could not be at this meeting, but still had the same concerns.

Mr. Fisher closed the public hearing.

Mr. Fisher read a letter from Bruce and Jane Turner asking for a continuance on this request.

Mr. Fisher read a letter from Tim Weddle supporting the rezoning.

Mr. Bergman asked Mr. Whitted if the Plan Commission needed to vote on the request for the continuance. Mr. Whitted stated that a continuance motion needs to come from the petitioner or a Plan Commission member.

Mr. Brown stated that the children could still use the ball diamond for playing that adjoins this property.

Mr. Bonnell asked if there was any requirement for a buffer that is required along the residential properties at this site.

Mr. Bergman stated there would be a type A buffer required between the business and the residential area, which would be a 100% opaque screen of some sort. He stated at the last meeting there had been some concerns expressed about the lack of a buffer not being installed at Five Star Auto Sales. Mr. Bergman stated that the staff had researched this and found there was a buffer requirement at that location and part of the buffer was not installed. He stated that the trees that were to count as part of the buffer have been removed. Mr. Bergman stated that the staff is pursuing that matter to have the buffer restored. He stated that a letter has been sent to the property owner.

Mr. Bergman stated the criteria for this request would direct the Plan Commission in the direction of deciding whether or not B-4 is a more appropriate zoning for this property than the I-2 and the R-2 that are currently present at this site. He stated that the Comprehensive Plan indicates commercial development taking place in this entire area from Lowell Road north between Indianapolis Road and US 31. Mr. Bergman stated that given the traffic conditions that are present at this location and the availability of high volume roads to service this area, staff would recommend sending a favorable recommendation to the City Council.

Motion: Mr. Lang made a motion to send an unfavorable recommendation to the City Council. Ms. Haza seconded the motion and it carried with a vote of 6-3 with Mr. Fisher, Mr. Bonnell and Mr. Ruble being the nay votes.

## **NEW BUSINESS REQUIRING COMMISSION ACTION**

**SU-08-03: IUPUC** – a request by IUPUC for a major modification to the special use site plan to allow 66 banners to be installed on parking lot poles. The property is zoned SU-16 (Institutions of Higher Learning and Boarding, Vocational and Special Schools) and SU-12 (Airports, Heliports, and Landing Fields) and is located at 4601 Central Avenue in the City of Columbus.

Ms. Pannell presented the staff information on this request.

Mr. Jay Howard, Vice Chancellor and Dean for IUPUC and John Greenwell, Director of Marketing and Recruitment for IUPUC represented the petitioners.

Mr. Howard stated that the signs would lend to the visual attractiveness of the area when we think of the airport as being another front door to our community. He stated this would add to the visibility of and the presence of the University. Mr. Howard stated it would be a benefit to new students and visitors to the campus. He stated that they would ask for approval of the request.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Motion: Ms. Quisenberry made a motion to approve this request. Mr. Bonnell seconded the motion and it carried with a vote of 9-0.

Mr. Ruble left the meeting at this time.

**RZ-08-03: Columbus Redevelopment Commission** – a request by the Columbus Redevelopment Commission to rezone a property of 5.78 acres from B-5 (General Business) to B-3 (Central Business District). The property is located on the southeast corner of Lafayette Street and 2<sup>nd</sup> Street in the City of Columbus.

Ms. Stark presented the staff information on this request.

Mr. Ed Curtin, Director of Columbus Redevelopment Commission represented the petitioners.

Mr. Curtin stated this request is consistent with the Comprehensive Plan and the Strategic Developmental Plan that has been put together by the Redevelopment Commission a few years ago. He stated they would ask for a favorable recommendation.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated that the Comprehensive Plan shows this area as a boundary area between the downtown and some non-downtown commercial areas. He stated that the Downtown Strategic Development Plan has been adopted as part of the Comprehensive Plan and is providing official guidance to the Commission as well. Mr. Bergman stated that the document shows this property as part of the downtown expansion district to accommodate the future development of the downtown area.

Mr. Bergman stated that zoning is consistent with the Comprehensive Plan and would recommend sending a favorable recommendation to the City Council with conditions.

Motion: Mr. Haza made a motion to send a favorable recommendation to the City County with the following conditions: (1) Signs shall be limited to those permitted for the "City Center" as specified by the Zoning Ordinance, and (2) Landscaping shall be provided for all parking lots consistent with the requirements of the Zoning Ordinance for lots greater than 100 parking spaces in non-Central Business zoning district locations. Ms. DeVore seconded the motion and it carried with a vote of 8-0.

**RZ-08-04: Joel Spoon** – a request by Joel Spoon to rezone a property of 32,200 square feet from R-4 (Single Family Residential) to RB (Restricted Buffer). The property is located at 1207 and 1225 Central Avenue in the City of Columbus.

Ms. Pope presented the staff information on this request.

Mr. Joel Spoon with Spoon Realty and property owner Curt Aton represented the petitioners.

Mr. Aton stated he had been approached by Mr. Spoon to build his real estate office at this site.

Mr. Spoon stated that his current office is located at the corner of 10<sup>th</sup> and Central Avenue. He stated that the RB zoning that he is requesting is the lowest impact of commercial zoning that you can have. He stated its purpose is to serve as a buffer between existing residential and other things. Mr. Spoon stated he was looking for a place to expand his business and this piece property seemed appropriate. He stated his intention would be to build something that would fit into the neighborhood and would maintain the property to a high standard.

The petitioner presented much information to the members regarding whether or not this lot would be suitable for multi-family or residential development.

Mr. Spoon stated he had spoken with the neighbors in this area to inform them of his intentions for the property.

Mr. Fisher opened the meeting to the public.

Mr. Kenneth Cowan expressed concern regarding traffic flow, and stated this does not fit into the residential neighborhood. He asked if anything had changed since the last request on this property. Mr. Aton stated that an east west alley had been vacated.

Mr. Bob Brown stated that this should remain a single-family residential area. He also expressed concern about the office building being rented to various tenants and just not a location for a real

estate office.

Mr. Buddy Littlejohn stated there were drainage issues in the neighborhood when it rains. He stated the streets are very narrow and the children play there because the yards are very small. He also expressed concerns about traffic in the area.

Mr. Andrew Forsythe expressed a concern that this area would continue to come to the Plan Commission for approval of a different zoning than residential. He stated this area is surrounded on three sides by residential property.

Mr. Roger Gemberling expressed concerns about flooding in the neighborhood, about people parking on both sides of the streets and the congestion of traffic in the area from people that do not live there.

Mr. Brent Fields stated he was concerned that if the rezoning were allowed, the entrance to this property would be in front of his house. He stated that would take two parking spaces away from his house.

Mr. Fisher read a letter into the record from Joan Catt and Terry Rosenburger objecting to the rezoning. They expressed concerns about traffic and devaluation their home.

Mr. Fisher closed the meeting to the public.

Mr. Bonnell asked how access to this property would be obtained.

Mr. Bergman stated they had vacated the alley east to west, but regardless of the use, there will not be an additional access point on Central. He stated the existing north south alley would probably be the access entrance, depending on what the type of use was at this location.

Mr. Bergman stated that similar concerns to those raised a year ago still exist. He stated those concerns deal with inserting a commercial development into this block of residential, which is one of the last blocks of uninterrupted neighborhood along Central Avenue. Mr. Bergman stated that staff believes this is important for purposes of the Comprehensive Plan, which show this area as residential. He stated that in terms of responsible growth and development in order to manage traffic on Central these blocks of uninterrupted residential areas are important.

Mr. Bergman stated that staff would recommend sending an unfavorable recommendation to the City Council.

Motion: Mr. Lang made a motion to forward the request with an unfavorable recommendation to the City Council. Ms. Quinsberry seconded the motion and it carried with a vote of 8-0.

## **DISCUSSION ITEMS**

Discussion was held regarding Mr. Brown and Mr. Spoon's requests for rezoning and how the Plan Commissioners could address this in the future.

## **DIRECTOR'S REPORT**

Mr. Bergman stated that the second reading of the proposed zoning ordinance is scheduled for



the March 18, 2008 City Council meeting. He stated there would also be a working session for the City Council on March 12, 2008.

**LIASION REPORT**

**ADJOURNMENT: 7:00 P.M.**

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**David L. Fisher, President**

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**Steven T. Ruble, Secretary**